

Transferring area from Austin ETJ to Cedar Park ETJ

SB 952 by Wentworth (Krusee)

DIGEST:

SB 952 would have allowed the governing body of the City of Cedar Park to adopt a resolution including within its extraterritorial jurisdiction an area within the ETJ of the City of Austin. The area could have been transferred only if the City of Austin was not providing water and sewer facilities to the area, and the City of Cedar Park would have to have promised to provide such services once the area was transferred. The City of Cedar Park would have been required to reimburse the City of Austin for its proportional share of the reasonable construction costs of permanent water and wastewater treatment facilities in place January 1, 1993.

**GOVERNOR'S
REASON
FOR VETO:**

"This bill would move 8,000 acres from the City of Austin's extraterritorial jurisdiction and transfer it to the ETJ of the City of Cedar Park. By removing the land from Austin's sewage treatment system, the location of the final discharge for sewage treatment would change to a location in the Edward's Aquifer recharge zone, possibly resulting in degradation of underground water. Since the City of Austin has already expended in excess of \$7 million toward serving this area, efficient and equitable development of this region demands continued control by the City of Austin."

RESPONSE:

Sen. Jeff Wentworth, the author of SB 952, said he was "very disappointed that the governor had been misled by the City of Austin to veto the bill. The two reasons for the veto, that the final discharge for sewage treatment would be in the Edwards Aquifer recharge zone and the City of Austin's \$7 million investment in the area, were without foundation. It is factually not true that the final discharge would have lead to degradation of the Edwards Aquifer. Austin has spent \$7 million, and the bill would have required the City of Cedar Park to reimburse Austin for these costs. I called the governor's office when I heard a rumor that she might veto the bill and was assured that I would be notified. The only notification I received was a message on my answering machine at 10 p.m. on June 20. We had a deal on the bill. Rep. Naishtat carried the amendment to reimburse the City of Austin; Sen. Barrientos supported the bill. The arguments given for vetoing the bill are without foundation."

Rep. Mike Krusee, the House sponsor of SB 952, said that Austin had mislead the governor to get her to veto the bill. He said the bill would have mandated that Austin release territory in Williamson County to Cedar Park since Austin had failed to provide water and wastewater services to the area. Rep. Krusee said: "I have to wonder whether the Governor would have vetoed the bill if she'd had her facts straight. If the Governor was really concerned about the environment, she would probably be interested in knowing that Cedar Park has the highest quality wastewater treatment plant in the State — a fact that Austin probably left out." He said the veto eliminated a large block of "environmentally preferable" land from subdivision development which will make housing less affordable in Williamson County for the average family. "I just cannot understand why the City of Austin so desperately wants to control an area in Williamson County where they are not wanted. The issue will not go away."

NOTES:

SB 952 was analyzed in the May 22 *Daily Floor Report*.